

DISTRICT COURT, WATER DIVISION NO. 5, STATE OF COLORADO 109 Eighth Street, Suite 104 Glenwood Springs, CO 81601-3303	DATE FILED: January 18, 2019 3:52 PM FILING ID: 2E1511D59F618 CASE NUMBER: 2016CW3128 <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS of the CITY OF ASPEN, COLORADO, IN PITKIN COUNTY	
Attorneys for Applicant Cynthia F. Covell, Esq., Reg. No. 10169 Andrea L. Benson, Esq., Reg. No. 33176 Alperstein & Covell, P.C. 1600 Broadway, Suite 1070 Denver, CO 80202 Phone: (303) 894-8191 Fax: (303) 861-0420 cfc@alpersteincovell.com; alb@alpersteincovell.com	Case Number: 2016CW3128 (CA5884, W-791, W-791-77, 81CW063, 85CW045, 89CW030, 95CW187, 02CW19, 09CW145) Water Division No. 5
STATUS REPORT	

Applicant, the City of Aspen (“Aspen”), by and through its undersigned attorneys, hereby provides a status report to the Court and parties.

1. Aspen reached stipulations with all opposers in this matter and those stipulations were approved by order of the Court dated November 11, 2018. The stipulations contain opposers’ agreement to entry of a decree in this case in the form of proposed decree attached to that opposer’s stipulation, or a form that is no less restrictive on Aspen than the form of decree to which the opposer stipulated

2. Each opposer agreed that the proposed decree submitted to the Court on November 6, 2018, is no less restrictive on Aspen than the form of decree to which each stipulated.

3. At the case management conference held November 29, 2018, the Court requested further information. Aspen agreed to prepare a revised form of proposed decree to address the Court’s request, to circulate that revised form to opposers, and, if all parties agreed that the revised form of proposed decree was no less restrictive on Aspen than the form of decree submitted on November 6, 2018, to submit that form to the Court.

4. The Court's Minute Note dated November 29, 2018, requested that the parties endeavor to file additional information by January 18, 2019, prior to the status conference scheduled for January 25, 2019.

5. Aspen prepared a revised form of proposed decree for the companion case, Case No. 16CW3129, and circulated it to counsel for opposers on December 12, 2018. Aspen intends to prepare a substantially similar revised form of proposed decree for this case following opposers' agreement to the revised form of proposed decree in Case No 16CW3129. Aspen has received comments from most opposers on the revised form of proposed decree for Case No. 16CW3129. Most comments were received during the past week; some were received on January 17, 2019. As a result of the government shutdown, counsel for the United States has been furloughed, and Aspen does not expect any comments from him in the near future.

6. Aspen's counsel is reviewing with Aspen the comments received to date on the revised form of proposed decree for Case No. 16CW3129 and is working diligently to respond. However, Aspen will not be able to file a revised form of proposed decree that has been reviewed and approved by all opposers by today's date.

7. Aspen will provide a further update at the status conference on January 25, 2019.

Dated: January 18, 2019.

ALPERSTEIN & COVELL, P.C.

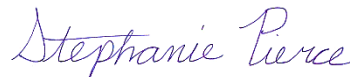
Cynthia F. Covell

By: Cynthia F. Covell, #10169
ATTORNEYS FOR CITY OF ASPEN

CERTIFICATE OF SERVICE

I certify that on January 18, 2019, a true and correct copy of the foregoing Status Report was served electronically via CCE on the following:

▲ Party	Attorney	Firm	Method
American Rivers	Noto, Paul L. Groves, Jason M.	Patrick, Miller & Noto, P.C.	E-Service
Larsen Family LP	Corona, Craig	Corona Water Law	E-Service
Bd County Commissioners of Pitkin County	Ely, John M. Makar, Laura C. Neiley, Richard Y. III	Pitkin County Attorney	E-Service
Colorado Trout Unlimited	Noto, Paul L. Groves, Jason M.	Patrick, Miller & Noto, P.C.	E-Service
Division 5 Engineer	Division 5 Water Engineer	State of Colorado DWR Division 5	E-Service
State Engineer	Colorado Division of Water Resources	State of Colorado-Division of Water Resources	E-Service
United States of America	Dubois, James J.	US Department of Justice ENRD	E-Service
Western Resources Advocates	Miller, Bartlett P. Harris, Robert K.	Western Resources Advocates	E-Service
Wilderness Workshop	Miller, Bartlett P. Harris, Robert K.	Western Resources Advocates	E-Service



Stephanie Pierce

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